

HATED TO GIVE IN

GEN. TORAL HAGLED OVER TERMS UNTIL THE LAST.

HE WOULD AGREE TO NOTHING

INSISTED ON REFERRING EVERYTHING TO MADRID.

His Commissioners Finally Signed the Articles of Capitulation Shortly After Midnight Thursday—Some Terms of the Surrender.

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AT GENERAL WHEELER'S HEADQUARTERS, BEFORE SANTIAGO DE CUBA, July 15, 1898.—The preliminary business of the capitulation of the Spanish forces in Eastern Cuba was agreed to and signed under a picturesque caba tree, half way between the lines, shortly after midnight. Our commissioners were invited to enter the city by those representing General Toral, but the invitation was declined, and the conference was held under the spreading caba, just such a tree as that under which Columbus landed at the celebration of the centennial of his first landing in Cuba near Havana.

At the very outset, a hitch occurred owing to a misunderstanding of what was said at the personal interview between General Shafter and General Toral at noon. At that time our interpreter, translating the language of General Toral, had given General Shafter, Miles and Wheeler distinctly to understand that Captain General Blanco had consented that the commissioners should have plenary powers to negotiate the terms of surrender, such terms as they agreed upon to be binding upon both parties. Something was said about a notification to the Madrid government, but General Shafter insisted that the capitulation had been actually agreed to and that no further consent of the Madrid government was required.

When the commissioners met shortly after 2 o'clock in the afternoon, those in behalf of General Toral (General Escario, Lieutenant Colonel Fortuna and Robert Mason, the British vice consul) debated at length the idea that the capitulation had in fact, actually taken place. The content of Madrid, they insisted, was still necessary; but, at the same time, they claimed strongly that it would be forthcoming, as Captain General Blanco had advised it, and the home government would do the same thing. General Toral, who was present, and who, in fact, directed the negotiations on his own behalf, said he had never been overruled by the captain general.

Still, he added, until Madrid had sanctioned it, Santiago had not capitulated. All this was extremely unsatisfactory to our commissioners, who clung tenaciously to the understanding General Shafter had received earlier in the day.

Finally, with the question of whether or not the Spanish forces had actually surrendered still open, the commissioners proceeded to the consideration of preliminaries. Captain Miles had drawn up thirteen articles of a general nature, and these were submitted to General Toral. He made a strong appeal that the word "capitulation" be used instead of the harsher term, "surrender," and that his army be allowed to march out, the officers with their side arms, and the men with their small arms. He said the arms could afterwards be sent to Spain, either on the same ships. General Toral further remarked that he expected our commissioners, as representatives of a brave, chivalrous people, would not seek to humiliate his army or make it appear that he was vanquished. As brave men, his soldiers deserved to go home with honor. They had simply yielded to superior force, and they would prefer dying to going home without their honor.

Our commissioners could not resist this appeal, but they said it lay beyond the terms laid down by our government, and they could only recommend the matter to Washington.

At 4 o'clock General Toral returned to the city to consult with General Linnares. General Toral and the Spanish commissioners returned at 6:30, saying they desired a still further change in the phrasing of the articles, and suggested a postponement of negotiations until morning. This General Wheeler firmly declined. Thereupon a recess was taken until 9:30. The commissioners returned at that hour and the articles were again gone over in detail. Various changes of verbiage, which tended only to soften the sound without affecting the sense, were proposed by the Spaniards, and our commissioners accepted practically all of them.

Shortly after midnight, General Wheeler suggested that the good faith of the Spaniards be tested. All the articles were read, and each commissioner in turn was asked if they were satisfactory. When they replied in the affirmative, General Wheeler asked them to affix their signatures. They appeared to be reluctant to do so, but they could not well refuse. When all had signed, the commissioners separated to meet again at 12:30 o'clock on Friday.

The present municipal authorities are to continue in control of the city until the Spanish troops are embarked.

The Spanish troops from other points are to be embarked at the nearest ports. Refugees are to return to their homes, but not until the sanction of Madrid is received, and the same applies to the removal of the obstructions at the mouth of the harbor.

Pending this, however, Miss Clara Barlow and the Red Cross society, with supplies, are to be allowed to enter the city over the line of the Jungfrau railroad.

The water main, which was out, is to be repaired to-day.

Cubans are to be allowed to enter the city.

All the artillery and the batteries at the

"Telephone 676"

for a mold of

Morton's

Delicious

Ice Cream

Purest! Richest! Best!

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